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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,097	12/01/2000	C. Kevin McIntyre	10001448-1	4539

7590 06/16/2004

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EXAMINER

NGUYEN, MIKE

ART UNIT

PAPER NUMBER

2182

DATE MAILED: 06/16/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/728,097	MCINTYRE, C. KEVIN 
Examiner	Art Unit	
Mike Nguyen	2182	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 31 March 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-14 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Notices & Remarks*

1. Applicant's amendment 03/31/2004 in response to Examiner's Office Action has been reviewed but they are not deemed to be persuasive
2. Claims 1-14 are pending for the examination.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-14 are rejected under 35 U.S.C. 102(e) as being anticipated by Kobayashi et al. (U.S. Pat. No. 6,246,487 B1).

4. As to claim 1, Kobayashi teaches a multiple-original-output (“Mopying”) control system for use with a Mopy-enabled multifunction device (MFD) (see fig. 6), the system comprising:
  - a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see col. 12 lines 60-67 and col. 13 lines 1-17);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see fig. 6 element 45 and col. 13 lines 18-24).

5. As to claim 2, Kobayashi teaches a Mopy-enabled multifunction device (MFD) (see fig. 2) comprising:

a printing engine (see fig. 2 element 21);

multiple sources (see fig. 2 element "MULTI-BIN STACKER 211");

multiple destinations (see fig. 2 elements 24, 26, 251-253);

a receiver configured to receive a Mopy job from a multiple-original-output ("Mopying") control system for use with the MFD (see fig. 6 element 30 and col. 8 lines 50-62), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting

directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see col. 12 lines 60-67 and col. 13 lines 1-17);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see fig. 6 element 45 and col. 13 lines 18-24).

6. As to claim 3, Kobayashi teaches a printer driver comprising a multiple-original-output (“Mopying”) control system for use with the MFD (see fig. 6 element 42), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see col. 12 lines 60-67 and col. 13 lines 1-17);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see fig. 6 element 45 and col. 13 lines 18-24).

7. As to claim 4, Kobayashi teaches an application comprising a multiple-original-output (“Mopying”) control system for use with the MFD (see fig. 6 element 41), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see col. 12 lines 60-67 and col. 13 lines 1-17);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see fig. 6 element 45 and col. 13 lines 18-24).

8. As to claim 5, Kobayashi teaches an operating system comprising a multiple-original-output (“Mopying”) control system for use with the MFD (since the Mopying control system is a computer (CLIENT 4) so it is inherently the local host computer having an operating system), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection determiner configured to determine a destination selected for a Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see col. 12 lines 60-67 and col. 13 lines 1-17);

a Mopy-job transmitter configured to transmit the Mopy job to a MFD (see fig. 6 element 45 and col. 13 lines 18-24).

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9. As to claim 6, Kobayashi teaches a method facilitating multiple-original-output (“Mopying”) control of a Mopy-enabled multifunction device (MFD) (see fig. 6), the method comprising:

specifying a source for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

specifying a destination for a Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24).

10. As to claim 7, Kobayashi teaches a method as recited in claim 6, further comprising:  
formatting a Mopy job, such job includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see col. 12 lines 60-67 and col. 13 lines 1-17);

transmitting the Mopy job to the MFD (see fig. 6 element 45 and col. 13 lines 18-24).

11. As to claim 8, Kobayashi teaches a computer-readable medium having computer-executable instruction that, when executed by a computer (see fig. 6), performs a method comprising:

specifying a source for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

specifying a destination for a Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24).

12. As to claim 9, Kobayashi teaches a multiple-original-output (“Mopying”) control system for use with a Mopy-enabled multifunction device (MFD) (see fig. 6), the system comprising:  
a source-selection specifier configured to select a source for each Mopy in a Mopy job

from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection specifier configured to select a destination for each Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24).

13. As to claim 10, Kobayashi teaches a system as recited claim 9, further comprising:

a Mopy-job formatter configured to format a Mopy job that includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job (see col. 12 lines 60-67 and col. 13 lines 1-17);

a Mopy-job transmitter configured to transmit the Mopy job to the MFD (see fig. 6 element 45 and col. 13 lines 18-24).

14. As to claim 11, Kobayashi teaches a Mopy-enabled multifunction device (MFD) (see fig. 2) comprising:

a printing engine (see fig. 2 element 21);

multiple sources (see fig. 2 element “MULTI-BIN STACKER 211”);

multiple destinations (see fig. 2 elements 24, 26, 251-253);

a receiver configured to receive a Mopy job from a multiple-original-output (“Mopying”) control system for use with the MFD (see fig. 6 element 30 and col. 8 lines 50-62), the system comprising:

a source-selection determiner configured to determine a source selected for a Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection determiner configured to determine a destination selected for a

Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

15. As to claim 12, Kobayashi teaches a printer driver comprising a multiple-original-output (“Mopying”) control system for use with the MFD (see fig. 6 element 42), the system comprising:

a source-selection specifier configured to select a source for each Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection specifier configured to select a destination for each Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

16. As to claim 13, Kobayashi teaches an application comprising a multiple-original-output (“Mopying”) control system for use with a Mopy-enabled multifunction device (MFD) (see fig. 6 element 41), the system comprising:

a source-selection specifier configured to select a source for each Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection specifier configured to select a destination for each Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

17. As to claim 14, Lin teaches an operating system comprising a multiple-original-output (“Mopying”) control system for use with the MFD (ce the Mopying control system is a computer (CLIENT 4) so it is inherently the local host computer having an operating system), the system comprising:

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a source-selection specifier configured to select a source for each Mopy in a Mopy job from multiple sources on the MFD (see fig. 2 and col. 6 lines 40-50);

a destination-selection specifier configured to select a destination selected for each Mopy in a Mopy job from multiple destinations on the MFD (see fig. 6 and col. 12 lines 48-67 and col. 13 lines 1-24);

*Response to Amendment*

18. In response to the applicant's arguments that "the MDF of Kobayashi is not "Mopy-enabled". More specifically, it is not capable of producing multiple original outputs based upon a single source sent to the MFD". Examiner respectfully disagrees ~~N~~ because nowhere in the claims describes producing multiple original outputs based upon a single source sent to the MFD. However, the claims disclose: determine a source ... from multiple source, determine a destination ... from multiple destination, and format a Mopy job ... includes source-selecting directions for at least one Mopy in the job and destination-selecting directions for at least one Mopy in the job. Kobayashi clearly indicates above features (see col.14 line 1 to col. 15 line 12). 

*Conclusion*

19. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mike Nguyen whose telephone number is 703 305-5040. The examiner can normally be reached on 8:00AM-4:30PM.

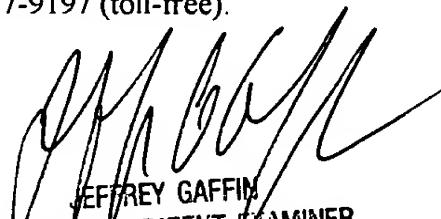
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703 308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mike Nguyen  
Patent Examiner  
Group Art Unit 2182

06/10/2004



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